

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE SOUTHERN DISTRICT OF TEXAS

3 HOUSTON DIVISION

4 UNITED STATES OF AMERICA § CASE NO. 4:18-CR-333
§ HOUSTON, TEXAS
5 VERSUS § THURSDAY,
§ JUNE 21, 2018
6 ROBERT CHARLES WOOTEN § 10:48 A.M. TO 10:54 A.M.

7
8 INITIAL APPEARANCE

9 BEFORE THE HONORABLE FRANCES H. STACY
UNITED STATES MAGISTRATE JUDGE

10
11
12 APPEARANCES: SEE NEXT PAGE
13 ELECTRONIC RECORDING OFFICER: PAUL YEBERNETSKY
14 COURTROOM CLERK: BEVERLY WHITE
15
16
17
18
19

20 TRANSCRIPTION SERVICE BY:

21 JUDICIAL TRANSCRIBERS OF TEXAS, LLC
935 Eldridge Road, #144
22 Sugar Land, TX 77478
281-277-5325
23 www.judicialtranscribers.com

24 Proceedings recorded by electronic sound recording;
25 transcript produced by transcription service.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

FOR THE PLAINTIFF: US ATTORNEY'S OFFICE
Jill J. Stotts, Esq.
1000 Louisiana St., Ste. 2300
Houston, TX 77002
713-567-9691

FOR THE DEFENDANT: TO BE APPOINTED

FOR PRETRIAL SERVICES: DAVID HERNANDEZ

1 HOUSTON, TEXAS; THURSDAY, JUNE 21, 2018; 10:48 A.M.

2 (Official Court Interpreter utilized for translation.)

3 THE COURT: Okay. US versus Robert Charles
4 Wooten, No. H-18-333.

5 MS. STOTTS: Jill Stotts on behalf of the United
6 States.

7 THE COURT: Mr. Wooten.

8 (Pause in the proceedings.)

9 THE COURT: This is -- FPD can't be in this case
10 either, right. Is this related?

11 MS. STOTTS: It is not, Your Honor.

12 THE COURT: Mr. Wooten, I see you filled out a
13 Financial Affidavit.

14 DEFENDANT WOOTEN: Yes, ma'am.

15 THE COURT: Raise your right hand, please, and
16 swear to the facts in the Affidavit.

17 (Defendant sworn to the Financial Affidavit.)

18 DEFENDANT WOOTEN: Yes, ma'am.

19 THE COURT: Okay. Since you've been in custody --
20 and maybe even when you're not in custody, since you have
21 four children, you may spend all of your income on the
22 necessities of life, but as of now, you don't have funds to
23 hire a lawyer. I find that you are financially eligible for
24 a lawyer and I will appoint a CJA lawyer for you -- Criminal
25 Justice Act Panel lawyer, because the Public Defender has a

1 conflict in representing you, okay?

2 So you will have a lawyer assigned to you
3 immediately, like in the very near future -- today,
4 probably, or tomorrow.

5 And this lawyer is the only person that you should
6 talk to about this case. You should not talk to anybody
7 else about the case. You're not required to. You're not
8 required to answer questions from law enforcement officials.
9 You, yourself, are not required to be a witness. You're not
10 required to make any explanation to anybody about the facts
11 of this case. Of course, it's in your best interest to talk
12 to your own lawyer about the case.

13 If you are convicted and you want to appeal that
14 conviction, you may request a court-appointed lawyer for
15 appeal. You know, if you can't pay for a lawyer, you can
16 still get a court-appointed lawyer for appeal also.

17 DEFENDANT WOOTEN: Yes, ma'am.

18 THE COURT: The charges were filed on the 13th of
19 June, 2018. It's in an Indictment that you'll get a copy of
20 today and your lawyer also will be given a copy.

21 The accusations, there are three counts: Count 1,
22 3, and 5 allege that you committed interference with
23 commerce by robbery. And then there are three more counts,
24 2, 4, and 6 allege that you used a firearm in relation to a
25 crime of violence.

1 So the three robberies are, let's see, Count 1,
2 allegedly there was -- you committed a robbery at Walgreen's
3 on West Little York on December 25th, 2017, and Count 2
4 alleges you used a firearm in connection with that robbery.

5 Count 3 alleges you robbed a Bayou Pawn on
6 Shepherd Drive of currency, and that occurred on
7 December 29th, 2017. And also, Count 4 alleges you used a
8 firearm in connection with that offense.

9 Count 5 alleges interference with commerce by
10 robbery on or about December 29th. It's alleged that you
11 took currency from Metro PCS on Little York in Houston, and
12 Count 6 alleges you used a firearm in connection with that
13 offense.

14 Can you explain the statutory range of punishment?

15 MS. STOTTS: Yes, Your Honor.

16 Counts 1, 3, and 5 is up to 20 years in prison, up
17 to a \$250,000 fine, up to three years of supervised release,
18 and a \$100 special assessment.

19 Counts 2, 4, and 6, the first count of conviction
20 is seven -- a minimum of seven years up to life. The next
21 count -- the next counts are a minimum of 25 to life for
22 each additional count, up to a -- and those are consecutive
23 also to any term of imprisonment -- up to a \$250,000 fine,
24 up to five years' supervised release, and a \$100 special
25 assessment per count.

1 THE COURT: Are you moving to detain Mr. Wooten?

2 MS. STOTTS: Yes, Your Honor.

3 THE COURT: Okay. I think we should set that
4 hearing for 10:00 o'clock on Monday, the 25th of June.

5 MS. STOTTS: Okay.

6 THE COURT: Mr. Wooten, I'd like you to come back
7 to court tomorrow for a counsel determination, so that you
8 can actually talk to the lawyer that we find for you.

9 And then come back again on Monday for a bail
10 hearing and to enter a plea of not guilty. The case will be
11 set before Judge Hughes at that time, all right?

12 DEFENDANT WOOTEN: Yes, ma'am.

13 THE COURT: So those are the next two steps.

14 DEFENDANT WOOTEN: So I don't have no cases with
15 the State no more?

16 THE COURT: You don't have a what?

17 DEFENDANT WOOTEN: Cases with the State no more?

18 THE COURT: I don't know

19 MS. STOTTS: He does, Your Honor.

20 THE COURT: You do, a separate case, but --

21 MS. STOTTS: He did, but it's still pending at
22 this time.

23 THE COURT: Oh, it's related to this case?

24 MS. STOTTS: Some are and some are not.

25 THE COURT: Okay. So that's just a separate

1 matter and this case takes precedence and you'll be in
2 Federal custody until this case is resolved.

3 DEFENDANT WOOTEN: Yes, ma'am.

4 THE COURT: All right. You'll be back tomorrow
5 before Judge Johnson, on Monday before Judge Smith.

6 This hearing is adjourned for now.

7 MS. STOTTS: Thank you.

8 DEFENDANT WOOTEN: Thank you.

9 THE COURT: What?

10 DEFENDANT WOOTEN: Could Your Honor see that I get
11 a phone call?

12 THE COURT: Can he use the phone, please?

13 THE MARSHAL: Yes, Your Honor.

14 THE COURT: You can use the phone in the Marshal's
15 Office today, yes.

16 MS. STOTTS: Thank you, Your Honor.

17 (Proceedings adjourned at 10:54 a.m.)

18

19

20

21

22

23

24

25

* * * * *

1 I certify that the foregoing is a correct
2 transcript to the best of my ability produced from the
3 electronic sound recording of the proceedings in the above-
4 entitled matter.

5 /S/ MARY D. HENRY

6 CERTIFIED BY THE AMERICAN ASSOCIATION OF
7 ELECTRONIC REPORTERS AND TRANSCRIBERS, CET**337
8 JUDICIAL TRANSCRIBERS OF TEXAS, LLC
9 JTT TRANSCRIPT #62578
10 DATE FILED: SEPTEMBER 29, 2020